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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JDS UNIPHASE, a Delaware Corporation,

Plaintiff,

v.

SYNTUNE, AB, a Swedish corporation;
CYOPTICS, INC., a Delaware corporation

Defendants.

Case No.: C 08-03498-JL

**DECLINATION TO PROCEED BEFORE A
MAGISTRATE JUDGE AND REQUEST
FOR REASSIGNMENT TO A UNITED
STATES DISTRICT JUDGE**

REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE

The undersigned party hereby declines to consent to the assignment of this case to a United States Magistrate for trial and disposition and hereby requests the reassignment of this case to a United States District Judge.

Dated: July 28, 2008

FAEGRE & BENSON LLP

By: /s/ Mary V. Sooter

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